

Judgment in a Civil Case

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United States District Court  
WESTERN DISTRICT OF NEW YORK

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JAIME A. DIAZ ONEILL

**JUDGMENT IN A CIVIL CASE**  
CASE NUMBER: 19-CV-1336

v.

NEW YORK STATE, et al.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: that the Court accepts and adopts Judge Foschio's recommendation; that Macy's motion for summary judgment is Granted; that the claims against Officer Ross and Officers XYZ are Dismissed; that the Complaint is Dismissed; and that the Court certifies that any appeal would not be taken in good faith and, therefore leave to appeal to the Court of Appeals as a poor person is denied.

Date: March 3, 2023

MARY C. LOEWENGUTH  
CLERK OF COURT

By: s/Suzanne  
Deputy Clerk